

SECTION III. CORRECTIVE ACTIONS REQUIRED

THEREFORE, PURSUANT TO SECTION 260.410, RSMo, SECTION 643.090(2) AND 644.056, RSMo IT IS HEREBY ORDERED:

1. Doe Run shall immediately cease all activities that cause fugitive dust to leave the property boundaries of the facility. Beginning immediately, Doe Run shall ensure that all trucks and other vehicles leaving the facility, including the unfenced area along the south side of the plant between the truck scales and the Mississippi River, extending to the slag storage area, are clean and free of lead concentrate and slag dust. Doe Run shall continue current truck washing procedures, including tire washing, under-carriage washing, and visual inspection of every vehicle before it leaves the facility premises, and shall take all other steps necessary to ensure every vehicle is free of material which could cause fugitive emissions or contaminate roads. The current truck washing procedures shall be expanded to include bed washing of concentrate trucks and wheel and under-carriage washing of any and all vehicles leaving the plant area and traveling on public streets. Vehicle cleaning shall be conducted in such a location that recontamination will not occur by driving through contaminated areas after washing/cleaning. If employee parking lots are contaminated, employee vehicles shall be included in the vehicle-washing program within three (3) days of MDNR's notice to proceed and will continue until parking lots are

determined by MDNR to be clean. In addition to these actions, Doe Run shall take any additional actions necessary to immediately eliminate fugitive dust emissions from vehicles traveling to and from the facility that cause fugitive dust to be deposited, discharged, emitted, spilled or released from vehicles traveling to and from the Doe Run smelter.

2. Within seven (7) days of receipt of this order, Doe Run shall complete cleaning of all hauling routes, the entire extent of contamination on streets that intersect hauling routes, and other areas inside or adjacent to the facility that are open to vehicular traffic. These roads shall be cleaned to concentrations MDNR determines to be equivalent to non-hauling route concentrations in Herculaneum and shall be maintained in a clean condition. If road dust concentrations are not substantially equivalent to non-hauling route concentrations, within seven (7) days of Doe Run's receipt of such results, it shall consult with the City of Herculaneum to develop a plan for repaving the hauling routes and the intersecting streets where contamination exists. The plan shall be submitted to MDNR within twenty-one (21) days of receipt of the results. Re-paving must begin within seven (7) days of receipt of MDNR's written approval of the plan and must be completed within 60 days of MDNR's notice to proceed. In addition, within three (3) days of receipt of this Order Doe Run shall sample all employee parking lots to determine whether parking lots should be included in the road-cleaning program. Results of parking lot sampling are due to MDNR within seven (7) days of receipt of this Order. If contamination is discovered in employee parking lots, they shall be cleaned to concentrations MDNR determines to be equivalent to non-hauling route concentrations in Herculaneum. Doe Run shall clean those parking lots within seven (7) days of MDNR's notice to proceed and maintain all areas in a clean condition.
3. Within ten (10) days of receipt of this Order, Doe Run shall submit a detailed plan to MDNR for concentrate delivery to the Herculaneum smelter that does not involve the use of open dump trucks, either tarped or untarped. The plan shall provide for routine inspections, performance standards, and quality control

measures to ensure that lead concentrate or other hazardous substances are not deposited, emitted, released, or spilled into the environment during any part of the transport process. The plan shall include a schedule with milestones that provides for full implementation within forty-five (45) days of the date of this Order. Within forty-five (45) days of receipt of this Order, Doe Run shall cease transport of lead concentrate or other hazardous substances along the public streets of Herculaneum using open dump trucks (either tarped or untarped).

4. The EPA plans to assess indoor dust contamination in residential properties in Herculaneum with lead contaminated soil in excess of 10,000 parts per million (ppm) and also properties where children with elevated blood lead levels reside. MDNR and EPA will develop a plan to characterize and remediate the remaining properties where elevated lead concentrations and indoor dust have occurred as a result of deposits, emissions, releases or spills of lead concentrate or other hazardous substance from the Doe Run Smelter. Doe Run shall be required to fund indoor lead-contaminated residential dust characterization and remediation where necessary.
5. Doe Run shall not implement the plan required in Corrective Action three (3) above without review and written approval by MDNR. MDNR will consider and must pre-approve modifications to the plan to accommodate unusual or extreme circumstances only if Doe Run demonstrates that there will be no adverse impact to public health and the environment as a result of the modification.
6. Doe Run shall comply with the additional work conditions of the September 17, 2001, letter from EPA and MDNR.
7. Doe Run shall ensure that all waste water from the vehicle washing operations is contained and treated according to all applicable requirements of the Missouri Clean Water Law, including its implementing regulations.
8. Doe Run shall immediately cease transport of lead concentrate and other hazardous substances along the public streets of Herculaneum if any of the corrective actions required under this Order are not taken within the timeframes prescribed herein.